Certificate of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to (703) 872-9646 at the U.S. Patent and Trademark Office on May 28, 2002.

Harris A. Wolin

Attorney Docket No.: MITA 17.869 (100697-09944)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor

Jose Murilo Mourao et al.

Senal No.

09/692,824

Filed

October 19, 2000

Title

Method to Increase ...

Examiner

Tima McGuthry-Banks

Group Art Unit

1742

May 28, 2002

Assistant Commissioner for Patents Washington, D.C. 20231

PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE TO RECEIVE AN OFFICE ACTION

Sir:

Pursuant to 37 C.F.R. §1.181(a), Applicant hereby petitions to withdraw the holding of abandonment based on failure to receive an Office Action. A Statement by the Applicant's attorney accompanies this Petition. Pursuant to MPEP §711.03(c), no petition fee should be required.

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Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,

Harris A. Wolin Reg. No. 39,432

CUSTOMER NUMBER 026304

KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NEW YORK 10022-2585

PHONE: (212) 940-8800 FAX: (212) 940-8776

DOCKET NO.: MITA 17-869 (100697-09944)

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May 28, 2002 .

Assistant Commissioner for Patents Washington, D.C. 20231

STATEMENT IN SUPPORT OF PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Sir:

Pursuant to 37 C.F.R. §1.181(a) and MPEP §711.03(c)(I and II), Applicant's legal representative registered to practice before the United States Patent and Trademark Office hereby makes this statement in support of Applicant's Petition to Withdraw Holding of Abandonment.

- 1 -

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According to the Examiner, a first Office Action was apparently mailed on November 9, 2001. Applicant never received such Office Action. Thus, the application is currently abandoned, even though Applicant never received a Notice of Abandonment confirming the same.

A search of the file jacket and docket records has revealed that such first Office Action was never received or formally entered into the docket records. Any Office Action received by Applicant's representative is docketed on the file jacket itself and in a computerized docket system. The last action received and docketed in this case was a Notice to File Missing Parts dated December 13, 2000. Such action was docketed on the file jacket, copy attached, for a one-month reminder on January 13, 2001 and a two-month response date on February 13, 2001. Nothing else is docketed on the file jacket.

A printout from the computerized docket system dated May 28, 2002, copy attached, also fails to show the docketing of a first Office Action dated November 9, 2001. Such docket report shows Applicant's last response filed December 20, 2000, which was a Submission of Missing Parts. Such Submission of Missing Parts was received in the United States Patent and Trademark Office, since the United States Patent and Trademark Office issued a Filing Receipt on March 26, 2001.

Had an Office Action dated November 9, 2001 been received, it would have been docketed on at least one of the three attached docketing means.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any parent issued thereon.

In view of the above, it is respectfully requested that this Petition be granted, that the holding of abandonment be withdrawn and that the Office Action be re-mailed with a new mailing date.

Respectfully submitted,

Harris A. Wolin Reg. No. 39,432

CUSTOMER NUMBER 026304

KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NEW YORK 10022-2585

PHONE: (212) 940-8800 FAX: (212) 940-8776

DOCKET NO.: MITA 17.869 (100697-09944)

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Country Application

Tuesday, May 28, 2002

Client-Matter: 100697-09944

Country: US

SubCase:

Client: VEIRANO & ADVOGADOS ASSOCIADO United States of America

Case Type: ORD

Application Status: Pending

Application Number: 09/692,824

Filing Date: 19-Oct-2000

Publication Number:

Publication Date:

Patent Number:

Issue Date:

Parent/PCT Number: PI 0002020-6

Parent/PCT Date: 15-May-2000

Parent Issue Number:

Parent Issue Date :

Agent: MITA

Expiration Date:

Agent Reference No.: VAPE 186

PTA: 0

Tax Schedule: SE

VEIRANO E ADVOGADOS ASSOCIADOS

Confirmation #:

Client Code: MITA

Related Case: 17869

List Of Actions

Action(s) Due	Due Date		Action Taken	
Postcard Follow Up	19-Dec-2000	Due Date		
MISSING PARTS	13-Jan-2001	Reminder	20-Dec-2000	
Information Disclosure Strint	19-Jan-2001	Due Date		
MISSING PARTS DUE	13-Feb-2001	Due Date	20-Dec-2000	
1 MON EXTENSION	13-Mar-2001	Reminder	20-Dec-2000	
2 MON EXTENSION	13-Apr-2001	Reminder	20-Dec-2000	
Application Status Check	19-Apr-2001	Due Date		
3 MON EXTENSION	13-May-2001	Reminder	20-Dec-2000	
FINAL MISSING PARTS	13-Јип-2001	Final	20-Dec-2000	
Foreign Filing Reminder	19-Jun-2001	Due Date		
CHECK FOR 1ST OFFICE ACTION	20-Jun-2001	Due Date		
Foreign Filing Reminder	19-Jul-2001	Reminder		
Foreign Filing Due	19-Oct-2001	Final	· · · ·	

User ID: Damaris

Date Created: 25-Oct-2000

Last Update: 27-Apr-2001